

Harford County, Maryland

ZONING CODE



Chapter 267 of the Harford County Code, as amended

Effective December 22, 2008
Amended thru March 18, 2014

DEPARTMENT OF PLANNING AND ZONING
Harford County, Maryland

FLOODPLAIN MANAGEMENT PROGRAM, Chapter 131

and

SUBDIVISION REGULATIONS, Chapter 268
of the Harford County Code, As Amended
are included at the end of
The Development Regulations.

**ZONING CODE
AMENDMENT INFORMATION:**

<u>Bill Number</u>	<u>effective date</u>	<u>Bill Number</u>	<u>effective date</u>
09-01	4/6/09	13-51	3/18/14
09-11	6/15/09	13-52	3/18/14
09-19AA	8/17/09		
09-31AA	1/22/10		
09-33AA	1/22/10		
10-03	4/20/10		
10-30	12/13/10		
10-32AA	12/27/10		
11-04AA	5/23/11		
11-05AA	5/23/11		
11-03	5/31/11		
11-32	12/12/11		
11-44	12/19/11		
11-62AA	1/13/12		
12-07AA	5/14/12		
12-14	5/21/12		
12-44	1/26/13		
12-48AA	2/11/13		
13-4AA	5/6/13		
13-17	7/22/13		
13-35	1/21/14		
13-36	1/21/14		
13-50	2/18/14		

§ 267-27. Accessory Uses and Structures. [Amended by Bill 09-19, as amended; Bill 12-44; and Bill 13-51]

- A. Generally. Except as otherwise restricted by this Part 1, customary accessory structures and uses shall be permitted in any district in connection with the principal permitted use within such district. Private roads and driveways shall be permitted in any district as an accessory use to any principal use when located in the same district as the principal use.
- B. Zoning certificate required. All accessory uses and structures, whether or not specified in this section, require the issuance of a zoning certificate.
- C. Use limitations. In addition to the other requirements of this Part 1, an accessory use or structure shall not be permitted unless it strictly complies with the following:
 - (1) In the AG, RR, R1, R2, R3, R4 and VR districts, an accessory structure shall neither exceed 50% of the square footage of habitable space or 1,000 square feet, whichever is greater. The height of the accessory structure shall not exceed the height of the principal structure. For properties greater than 5 acres in the AG district, an accessory structure shall not exceed 50% of the square footage of habitable space or 2,500 square feet, whichever is greater. For properties greater than 5 acres in the AG district, the height of an accessory structure shall not exceed 115% of the height of the principal structure.
 - (2) No accessory structure shall be used for living quarters, the storage of contractors' equipment or the conducting of any business unless otherwise provided in this Part 1.
 - (3) No accessory use or structure shall be established on any lot prior to substantial completion of the construction of the principal structure.
 - (4) No accessory use or structure on any lot shall increase any impervious surface area beyond the maximum permitted.
 - (5) No accessory use or structure shall be established within the required front yard, except agriculture, signs, fences, walls or parking area and projections or garages as specified in §267-23 (Yards), and modifications to minimum yard requirements.
 - (6) Uses and structures.
 - (a) For agricultural lots, detached accessory structures must be located:
 - [1] A minimum of 10 feet from the side or rear lot lines, unless the lot has a recorded easement.
 - [2] For lots with recorded easements, the owner must obtain a building permit or zoning certificate to locate any detached accessory structure within the recorded easement pursuant to §267-27C(8); otherwise, the setback shall be equal to the width of the recorded easement or 10 feet, whichever is greater.
 - (b) For residential lots, accessory structures will be considered attached if they are within 3 feet of the principal structure and must meet the principal structure setback requirements. For residential lots, detached accessory structures shall be located:
 - [1] A minimum of 3 feet from side or rear yard lot lines, unless the lot has a recorded easement.

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- [2] For lots with recorded easements, the owner must obtain a building permit or zoning certificate to locate any detached accessory structure within the recorded easement pursuant to §267-27C(8); otherwise, the setback shall be equal to the width of the recorded easement or 3 feet, whichever is greater.
 - (c) For townhouses and zero-lot-line dwellings, detached accessory structures shall be located:
 - [1] Zero feet from side or rear yard lot lines, unless the lot has a recorded easement.
 - [2] For lots with recorded easements, the owner must obtain a building permit or zoning certificate to locate any detached accessory structure within the recorded easement pursuant to §267-27C(8); otherwise, the setback shall be equal to the width of the recorded easement.
 - (d) The front, side and rear yard setback for accessory uses and structures for business, industrial and Continuing Care Retirement Community uses shall be equal to the same setbacks required for the principal structure.
 - (e) For institutional uses, the front, side and rear yard setback for accessory uses and structures shall be equal to the same setbacks required for the principal structure. This requirement may be reduced up to 50% for accessory structures less than 300 square feet, located in the side and rear yard.
 - (f) Retaining walls, 4 feet or greater in height, shall require a zoning certificate.
 - (7) Septic reserve areas may be permitted in any district to serve a use permitted and located in another district if the property is split-zoned and under the same ownership. These uses may also be permitted in a use setback. Stormwater management facilities may be permitted in any district to serve a use permitted and located in another district.
 - (8) Fences shall be permitted in any recorded drainage and utility easement. The placement of all other accessory uses shall be allowed in any recorded drainage and utility easement, pursuant to the following:
 - (a) The accessory use or structure shall meet the setback and square footage requirements contained in §267-27C (Use Limitations);
 - (b) The Department of Public Works shall approve the location;
 - (c) The accessory structure shall meet the applicable requirements of this section; and
 - (d) The applicant shall sign a hold harmless form, provided by the County.
 - (9) Small Wind Energy Systems. In order to properly integrate all regulating provisions affecting Small Wind Energy Systems, as defined in §267-4 (Definitions), and to regulate such systems in an orderly and comprehensive manner, it is hereby provided that Small Wind Energy Systems are subject to the regulations as set forth herein. The purpose of this subsection is to oversee the permitting of Small Wind Energy Systems and to preserve and protect public health and safety without significantly increasing the cost or decreasing the efficiency of a Small Wind Energy System. These provisions shall apply to all Small Wind Energy Systems located in Harford County.

- (a) The land may be developed only for a nonresidential use that is beneficial to the community, as specified in the amended easement;
 - (b) The agreement of the County Council shall be evidenced by legislative act of the Council; and
 - (c) An amended easement shall be effective only upon its recordation in the Land Records of the County.
- (5) Public roads shall be designed in a manner that is consistent with the Harford County Road Code and with the surrounding rural character.
 - (6) The easement shall not provide for public access to any privately-owned land.
 - (7) Landscaping and buffering. Landscaping and buffering in developable areas shall conform to the regulations in §267-29 (Landscaping) and §267-30 (Buffer Yards).

§ 267-73. Agricultural/Commercial. [Amended by Bill 13-52]

- A. General provisions. The following general requirements shall be applicable to all projects developed under this Article:
- (1) Must be approved by the Director of Planning.
 - (2) Except as otherwise provided in this Subsection, the parcel shall be a minimum of 10 acres.
 - (3) The parcel shall be zoned and assessed agricultural.
 - (4) Meets the specific criteria for the use.
 - (5) Must be owner or tenant operated.
 - (6) Safe and adequate access shall be provided for vehicular traffic, as determined by the State Highway Administration or Harford County.
 - (7) Hours of operation are permitted between 6:00 a.m. and 10:00 p.m. unless otherwise specified.
 - (8) Any lighting shall be shielded and directed away from any off-site residence and may be used only during permitted hours of operation.
 - (9) Buildings in which animals are housed shall comply with §267-53 (AG Agricultural District).
 - (10) Setbacks for these uses shall be a minimum of 100 feet from any property line except road frontage and 200 feet from any off-site residence. A buffer yard shall be provided between any parking or storage area and any public road and any off-site residence.

- (11) Written approval from the record owner is necessary if someone other than the owner of record is operating the use.

B. Amusements.

- (1) Commercial riding stables.
 - (a) Parking shall be provided a minimum of 100 feet from property lines except road frontage and 200 feet from any off-site residence.
 - (b) Pursuant to §267-30 (Buffer Yards), the property on which the commercial stable is located shall be buffered with a type "C" buffer. The buffer yard may be included in the setback area.
- (2) Private parties and receptions.
 - (a) Unless located entirely within an enclosed building, this use shall not be located less than 100 feet from any lot line except road frontage and 200 feet from any off-site residence.
 - (b) Adequate parking shall be provided on site and screened from any off-site residence.
 - (c) Hours of operation are not permitted between 12:00 midnight and 6:00 a.m.

C. Industrial uses associated with agricultural uses as provided for in the use charts.

- (1) Any new buildings or additions shall be located a minimum of 100 feet from any lot line except road frontage and 200 feet from any off-site residence. Existing buildings shall be exempt.
- (2) Outside storage is permitted provided it is a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).

D. Motor vehicle.

- (1) Commercial or construction vehicles and equipment storage, service and repair, used in the farming operation and owned by the farmer or tenant operator may be located on the property provided that the parcel is a minimum of 20 acres. The storage of commercial or construction vehicles and equipment shall be located not less than 100 feet from any property line except road frontage and 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).
 - (a) Farm vehicles or pieces of equipment may be located on the farm property provided that the parcel is a minimum of 20 acres.
 - (b) Storage of these vehicles or equipment for repair shall be a minimum of 200 feet from any off-site residence and buffered pursuant to §267-30 (Buffer Yards).